



STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF PARKS AND OUTDOOR RECREATION
NON-COMPETITIVE COMMERCIAL USE PERMIT
Kenai River Scenic Commercial Operator Permit

A **Commercial Use Permit (CUP)** is required for anyone conducting **commercial activities** (as defined in 11 AAC 12.340(19) *) within any unit of the State Park system. Examples of commercial activities include guided activities, charter services, transportation services, outfitting, supply, or equipment sales or rentals within a park.

A person may not provide professional guide services within the Kenai River Special Management Area without first obtaining a valid Kenai River permit issued by the division. This permit is only valid for the calendar year in which it was issued. Requirement for a Kenai River guide permit can be found under 11 AAC 20.885.

Please completely fill out the application below. You must include before submitting:

- A Certificate of Commercial Liability Insurance with the State of Alaska as additionally insured (see General Stipulation #3 for more details). *Please send a copy to the permit email address below. Include your permit number (LAS #) in the description box.*
- Driver's License
- First Aid Card
- Drug Program
 - Power boat operators must provide proof of their enrollment in a random drug test documentation with expiration date per Coast Guard requirement.

Please submit the completed application to parkpermitting@alaska.gov. Only complete applications will be processed. Allow 30 days for permit processing. Instructions for payment will follow.

Permit Fees:

- A non-refundable permit application processing fee of **\$100**
- Annual permit fee of **\$350**.

Boat Launch and Day Use Decals can be purchased online at dnr.alaska.gov/park/passes or by calling the Public Information Office at 907-269-8400. (These passes will no longer be available for purchase at the Gilman River Center)

For Additional Information contact the Division at: parkpermitting@alaska.gov or call the Public Information Center at: 907-269-8400.

**11 AAC 12.340(19) "commercial activity" means the sale of, delivery of, or soliciting to provide, goods, wares, edibles, or services in exchange for valuable consideration through barter, trade, or other commercial means; a service offered in conjunction with another sale of goods, wares, edibles, or services, which service involves the use of state park land or water, is a commercial activity whether or not it is incidental to, advertised with, or specifically offered in the original sale; all guide, outfitter, and transportation services are commercial activities if any payment or valuable consideration through barter, trade, cash, or other commercial means is required, expected, or received beyond the normal and customary equally shared costs for food and fuel for any portion of the stay in the park.*



STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF PARKS AND OUTDOOR RECREATION
Kenai River Scenic Operator Non-Competitive Commercial Permit
11 AAC 20.885

LAS Number: _____ (State Assigned -Land Administration System)

**** A copy of this permit and stipulations must be carried by the Permittee while operating in a State Park ****

CONTACT INFORMATION

Name of Business: _____

Guide Name: _____

Guide Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Guide Phone Number (include area code): _____ Guide Email Address: _____

Field / Emergency Contact (Name and Cell Phone): _____

BUSINESS INFORMATION

Alaska Business License Number: _____ Expiration Date of Business License: _____

Per [AS 43.70.020\(a\)](#) a business license is required for the privilege of engaging in a business in the State of Alaska.

Kenai River Scenic Operator Additional Information

USCG License # _____ USCG Expiration Date _____

When submitting application please include a copy of the following documents for each employee:

Driver's License First Aid Card Drug Program (power boats only) Certificate of Commercial Liability Insurance

List additional Park units you will be operating in:

APPLICANT ACKNOWLEDGEMENT

I attest the information submitted on this form and any attachments are true, complete, and accurate to the best of my knowledge. By signing this form, the permittee, its agents, and employees agree to have read and agreed to the terms of the permit and understands that the breach of any term is cause for suspension or revocation under 11AAC 20.885. Further, it is expressly understood and agreed that this permit may be revoked in accordance with 11AAC 20.885 (j) at the discretion of the Director, or his/her designee without compensation to the permittee.

Applicant Signature

Date

PERMIT AUTHORIZATION (for State use only, permit not valid unless signed)

By the signing of the Authorized State Representative below, the Director of DPOR has reviewed this application and the applicable management plan and has determined that this permit and the activities associated under this permit is consistent with the provisions under 11 AAC 18.025 and 11 AAC 18.030 as well as the applicable management plan.

Application Fee: _____ Annual Permit Fee: _____ (per 11 AAC 05.70 and Director's Order)

Signature of Authorized State Representative

Date of Issuance

Expiration Date

BOAT INFORMATION

| |
|---|
| 1. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 2. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 3. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 4. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 5. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 6. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 7. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 8. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |
| 9. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____ |

VEHICLE INFORMATION

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|---|
| 1. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 2. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 3. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 4. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 5. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 6. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 7. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 8. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 9. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 10. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 11. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 12. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 13. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 14. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |
| 15. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ <div style="text-align: center; color: red;">(State Park Use Only)</div> <div style="text-align: right;">Color _____</div> |

Kenai River Scenic Operator Non-Competitive Commercial Permit

INDIVIDUALS OPERATING WITHIN PARK: List all individuals (owners, employees, operators, guides, etc.) that will be operating in a state park under this permit. ****If changes to this list occur during the year, send an updated list to: parkpermitting@alaska.gov ****

New employees are not authorized to operate in any state park unit until the Division receives the updated list.

You may substitute your own attachment (Word document, Excel spreadsheet, etc.) in place of this page, provided it includes all required information below. Attach additional pages if needed.

| Name | Title (owner, guide, pilot, captain, etc.) | Driver's License / ID (state / license #) | First Aid Certification <small>Recognized by state or national org. (issuing agency / exp. date)</small> | Coast Guard License # |
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Kenai River Special Management Area Scenic Guide Stipulations

- 1) **Supervision:** A permitted guide must be aboard a guide vessel whenever it is being used for guiding activities. The permitted guide must always have his/her Kenai River Special Management Area Guide permit and a photo identification card in his/her possession while guiding within the Kenai River Special Management Area. The permittee must present the permit and identification card to any Peace Officer upon request.
- 2) **Guide Vessel Identification:** A guide vessel shall be identified by displaying the issued Department of Natural Resources Kenai River guide decals, and the assigned three-digit guide vessel number on both sides of the vessel just aft of the midpoint and above the water line anytime the vessel is being operated in the Kenai River Special Management Area. The issued DPOR guide decals shall be placed directly forward of the assigned three-digit guide vessel number. The assigned guide vessel number is to be permanently displayed in six-inch high by one-inch-wide block style figures of contrasting color to the color of the vessel hull. Duct tape, electrical tape, and other temporary numbers are not acceptable.
- 3) **Insurance Required:** Without limiting indemnification, the liability insurance required of commercial operators that provide guiding, outfitting, touring, education expeditions, equipment rentals or other recreational services in State Park Units shall be comprehensive (commercial) general liability insurance with coverage limits not less than \$100,000 per person / \$300,000 combined single limit per occurrence and annual aggregates where generally applicable, and shall include premise operation, independent contractor's products/completed operations, broad form property damage, blanket contractual and personal injury inducements. The director may require higher increments of liability insurance for activities that carry a higher degree of risk to the participants. The liability insurance policy must also list the State of Alaska as additional insured and provide for a 30-day notification to the State of cancellation, non-renewal, or material alteration of insurance. A copy must be sent to: parkpermitting@alaska.gov. Please include your permit number (LAS #) in the description box. If also being mailed, it can be sent to the following address:

State of Alaska
Department of Natural Resources
Division of Parks and Outdoor Recreation
550 West 7th Ave., Suite 1380
Anchorage, AK 99501

- 4) **Vehicle Identification:** Motor vehicles that are operated or parked on state park lands and used in conjunction with commercial activities shall be identified by a numbered Commercial Operator decal. This identification decal shall be affixed on the bottom left-hand corner of the vehicle's windshield. Decals shall not be altered or affixed to unauthorized vehicles. Decals that are altered or affixed to unauthorized vehicles may be confiscated by State Park staff. Any motor vehicle and attached trailer that is found in violation of this requirement may be impounded and removed from the State Park at the registered owner's expense. If a vehicle bearing an authorized decal has a mechanical breakdown, the permittee may temporarily substitute another vehicle without a decal upon notification and approval from State Parks.
- 5) **Fishing Gear Prohibited:** Permittees classified as scenic guides are also non-fishing guides and may not carry or allow clients to carry any fishing poles, tackle, or other fishing equipment aboard the permitted guide vessel while the vessel is being used for guiding activities in the Kenai River Special Management Area.
- 6) **Structures.** No temporary structures shall be erected in the area under this permit without prior written permission of the authorizing officer. Under no circumstances will permanent structures be built. Temporary structures are permitted through DPOR regional offices with additional permit stipulations and fees.
- 7) **Outboard Motor Inspection:** All Kenai River Guides must permit the random inspection of their outboard motors by any Peace Officer for the purpose of verifying the prop shaft horsepower rating. Failure or refusal to comply with an outboard motor inspection may result in an immediate permit suspension.

- 8) **Lawful Operations/Documentation:** The permittee agrees to operate in accordance with all local, state, and federal laws and regulations. The issuance of this permit does not alleviate the necessity of the permittee to obtain all required local, state, and federal licenses, tags, permits, registrations, and certifications that are applicable to the permittee's activities. Permittee shall ensure compliance by its employees, agents, contractors, subcontractors, licensees, or invitees. Permittee shall further require all individuals operating under this permit to have all such documentation in their possession while operating in the park and upon request shall present for inspection to any state park official or Peace Officer.
- 9) **Boat Launch Fees:** The permittee must pay boat launch fees for the use of State Park boat launches in the KRSMA or purchase a State Parks boat launch decal. The State Park boat launch decal is to be permanently affixed to the tongue of the boat trailer for which it was purchased. Temporary placement of the boat launch decal is not allowed. Boat launch decals that are not permanently mounted or affixed may be confiscated by State Park Staff. The State Parks boat launch decal is not honored at the Pillars and Eagle Rock Boat Launches. Due to limited parking facilities, no guide or guide employee vehicles may be placed at the Izaak Walton Unit parking lot from June 1 through August 15.
- 10) **Sanitation:** Public restrooms are in most of the heavily fished areas of the Kenai River Special Management Area. The permittee agrees to use the restrooms and take his/her clients to the public restrooms. If the restrooms are not available, the permittee must COLLECT and PROPERLY dispose of all SOLID human waste and refuse generated by themselves or their clients within the permit area. All solid human waste will be disposed of in the appropriate facility outside of the permit area.
- 11) **Advertising:** This permit does not authorize the permittee to solicit business, advertise, collect any fees or sell any goods or services on lands and water authorized to be used by this permit unless specified on the permit. The permittee shall not make any misrepresentations in their advertisements, signs, circulars, brochures, letterhead, and like materials regarding this permit. This restriction shall not apply to business names, graphics, logos or telephone numbers that are applied to guide vessels or vehicle.
- 12) **Client Information:** The permittee agrees to provide clients with information regarding rules, regulations and other information pertaining to the guided activity, the area and basic safety information relative to the client's visit.
- 13) **Accident Notification:** The permittee shall notify the nearest State Park area office immediately after completing any trip in which accidents have occurred involving personal injury, boat collision, overturning or swamping, or damage to the guide vessels, aircraft or other vessel; or any threatening incidents involving wildlife or of incidents involving the loss of equipment such as canoes, rafts, tents or other gear which could create the impression that someone may be lost or in danger.
- 14) **Indemnification:** The permittee shall indemnify, hold harmless and defend the State, its officers, agents, and employees from liability of any nature or kind, including costs and expenses for or on account of any and all legal actions or claims of any character whatsoever resulting from injuries or damages sustained by any person or persons or property as a result of any error, omission, or negligent act of the permittee relating to this permit.
- 15) **Professional Behavior:** The permittee shall not verbally, physically or by any other method harass, assault, or abuse clients, employees, outfitters, other guides and their clients, members of the public or any state or federal agency representative. This includes aggressive and disruptive behavior.
- 16) **Repair of Damage:** The permittee shall exercise diligence in protecting from damage lands, waters, facilities, and resources in the permit area and used in connection with this permit. The permittee shall be liable for the repair of any damage to lands, water, facilities, or resources resulting from the activities of the permittee, their agents, employees, or clients.
- 17) **Natural Hazards:** The permittee recognizes and understands that natural hazards are likely to exist within the area of their operation. The permittee agrees to take all reasonable precautions to make themselves aware of these

hazards and to avoid injury to persons or property. The permittee is responsible for ensuring the safety of the clients under their supervision.

- 18) **Cooperation** The permittee agrees to cooperate with all state and federal agency representatives for the purpose of permit compliance and to gather information on fish, wildlife, and other natural resources.
- 19) **End of Season Report:** Scenic guides who provide scenic tours on the Kenai River are now required to submit an end of season. Permittee shall submit an End of Season Report by December 31st of the permit year, accurately documenting activities on lands and waters covered by this permit. The Division will assess per client fees based on number of client days, locations, and activities that have occurred on lands and waters covered by this permit and payment will be required on or before December 31. State law, AS 45.45.010(a), allows the State to charge interest in the amount of 10.5% annually on debts owed to the state. A 10.5% annual penalty fee will be assessed for any per client fees that are not received by DPOR by December 31. Permitter's annual commercial use permit will not be issued for subsequent years until the Division receives End of Season Reports and payment of all applicable per client fees for prior years. End of Season reporting is required whether or not you conducted commercial activities in a unit of the State Park system. If you are an employer, make sure you list ALL your employees' names on the use report. The report is due whether you conducted commercial activities in a unit of the State Park system or not.
- 20) The issuance of this permit does not confer any rights of renewal or preferences for renewal despite investments made by the permittee or for other reasons. This permit is non-transferable, and the permittee shall not sublet or enter into any third-party agreements involving the privileges authorized by this permit. This permit is issued in accordance with 11 AAC 12.300 and 11 AAC 18.030.